Judge Mark Houle, Presiding Courtroom 301 Calendar

Thursday, September 2, 2021

Hearing Room

301

11:00 AM 6:16-12609

Ryan J. Watson

Chapter 13

#1.00 Motion for order denying discharge and dismissing case

EH__

(Tele. appr. Joey De Leon, rep. Chapter 13 Trustee)

[Tele. appr. Sundee Teeple, rep. Debtor]

Docket 66

Tentative Ruling:

9/2/2021

BACKGROUND

In the instant motion [Dkt. No. 66], filed August 3, 2021, Trustee seeks to dismiss Case 6:16-bk-12609 filed under Chapter 13 by Ryan J. Watson ("Debtor") with an order denying discharge.

Although Debtor has completed all the plan payments designated to be paid through the Trustee, they have defaulted in paying their mortgage directly to Deutsche Bank National Trust Company ("Lender"). In its response to Trustee's notice of final cure payment, Lender asserts that Debtor is \$23,343.47 in post-petition arrears. [Dkt. No. 66, Attachment 1].

DISSCUSION

As a preliminary matter, the Court does not formally "deny" a discharge for failure to make payments. Rather, if Debtor has not satisfied the requirements for receiving a discharge, the Court would dismiss the case rather than enter a discharge. Therefore, the Court will construe Trustee's motion as a request to dismiss the case under 11 U.S.C. § 1307.

Here, Debtor has materially defaulted under the terms of the plan by failing to make

Judge Mark Houle, Presiding Courtroom 301 Calendar

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301

11:00 AM

CONT... Ryan J. Watson

Chapter 13

mortgage payments. Therefore, it is proper for the Court to dismiss the case.

TENTATIVE RULING

The proof of service is silent as to whether the notice of hearing was served. Movant to clarify. Assuming it was, good cause appearing, and no opposition having been filed, the Court is inclined to GRANT the motion to the extent of dismissing the case.

APPEARANCES REQUIRED.

Party	Inform	ation
1 al ty	THIOTH	auvii

Debtor(s):

Ryan J. Watson Represented By

Michael Smith Sundee M Teeple

Movant(s):

Rod Danielson (TR) Pro Se

Trustee(s):

Judge Mark Houle, Presiding Courtroom 301 Calendar

Thursday, September 2, 2021

Hearing Room

301

11:00 AM

6:20-11057 Joseph J Vargas

Chapter 13

#2.00 Stipulation By Windstone Mortgage Fund, LP and Debtor to Allow Filing of Late Proof of Claim of Windstone Mortgage Fund, LP

(Placed on calendar by order entered 8/12/21)

EH

(Tele. appr. Joey De Leon, rep. Chapter 13 Trustee)

[Tele. appr. Arnold Graff, rep. creditor, Windstone Mortgage Fund, LP]

[Tele. appr. Julie Villalobos, rep. Debtor]

Docket 49

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Joseph J Vargas Represented By

Julie J Villalobos

Movant(s):

Windstone Mortgage Fund, LP Represented By

Arnold L Graff

Trustee(s):

Judge Mark Houle, Presiding Courtroom 303 Calendar

Thursday, September 2, 2021

Hearing Room

303

11:00 AM

6:21-13343 Rigoberto Barragan and Martina Barragan

Chapter 13

#3.00 Confirmation of Chapter 13 Plan

EH___

(Tele. appr. Joey De Leon, rep. Chapter 13 Trustee)

Docket 0

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Rigoberto Barragan Represented By

Jaime A Cuevas Jr.

Joint Debtor(s):

Martina Barragan Represented By

Jaime A Cuevas Jr.

Trustee(s):

Judge Mark Houle, Presiding Courtroom 301 Calendar

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Hearing Room

301

11:00 AM

6:21-13371 Cheryl Linda Fernandez

Chapter 13

#4.00 Confirmation of Chapter 13 Plan

EH

Docket 0

*** VACATED *** REASON: CASE DISMISSED 7/19/21

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Cheryl Linda Fernandez Pro Se

Trustee(s):

Judge Mark Houle, Presiding Courtroom 301 Calendar

Thursday, September 2, 2021

Hearing Room

301

11:00 AM

6:21-13388 Rosalio Galvan and Cristina Ortiz

Chapter 13

#5.00 Confirmation of Chapter 13 Plan

EH__

(Tele. appr. Joey De Leon, rep. Chapter 13 Trustee)

Docket 0

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Rosalio Galvan Represented By

Jaime A Cuevas Jr.

Joint Debtor(s):

Cristina Ortiz Represented By

Jaime A Cuevas Jr.

Trustee(s):

Judge Mark Houle, Presiding Courtroom 301 Calendar

Thursday, September 2, 2021

Hearing Room

301

11:00 AM

6:21-13421 Jandea Matta Deonarine Chapter 13

Confirmation of Chapter 13 Plan #6.00

EH

(Tele. appr. Joey De Leon, rep. Chapter 13 Trustee)

[Tele. appr. Sheryl Ith, rep. creditor, Ford Motor Credit Company LLC]

[Tele. appr. Paul Lee, rep. Debtor]

Docket

0

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Jandea Matta Deonarine Represented By

Paul Y Lee

Trustee(s):

Judge Mark Houle, Presiding Courtroom 301 Calendar

Thursday, September 2, 2021

Hearing Room

301

11:00 AM

6:21-13428 Ronald Wayne Cloyd

Chapter 13

#7.00 Confirmation of Chapter 13 Plan

EH

Docket 0

*** VACATED *** REASON: CASE DISMISSED 8/31/21

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Ronald Wayne Cloyd Represented By

Jonathan D Doan

Trustee(s):

Judge Mark Houle, Presiding Courtroom 301 Calendar

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Hearing Room

301

11:00 AM

6:21-13534 Michelle Rico

Chapter 13

#8.00 Confirmation of Chapter 13 Plan

EH__

(Tele. appr. Joey De Leon, rep. Chapter 13 Trustee)

[Tele. appr. Joseph Delmotte, rep. Deutsche Bank National Trust]

Docket 0

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Michelle Rico Represented By

Anthony P Cara

Trustee(s):

Judge Mark Houle, Presiding Courtroom 301 Calendar

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Hearing Room

301

11:00 AM

6:21-13542 Marcos Garcia Perez and Sylvia Garcia

Chapter 13

#9.00 Confirmation of Chapter 13 Plan

EH___

(Tele. appr. Joey De Leon, rep. Chapter 13 Trustee)

Docket 0

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Marcos Garcia Perez Represented By

Paul Y Lee

Joint Debtor(s):

Sylvia Garcia Represented By

Paul Y Lee

Trustee(s):

Judge Mark Houle, Presiding Courtroom 301 Calendar

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Hearing Room

301

11:00 AM

6:21-13560 Manddie Trevias and Maria D. Trevias

Chapter 13

#10.00 Confirmation of Chapter 13 Plan

EH__

Docket 0

*** VACATED *** REASON: CASE DISMISSED 7/28/21

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Manddie Trevias Represented By

Andy Nguyen

Joint Debtor(s):

Maria D. Trevias Represented By

Andy Nguyen

Trustee(s):

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Hearing Room

301

11:00 AM

6:21-13635 Joseph Gutierrez

Chapter 13

#11.00 Confirmation of Chapter 13 Plan

EH__

(Tele. appr. Joey De Leon, rep. Chapter 13 Trustee)

[Tele. appr. Julie Villalobos, rep. Debtor]

Docket 0

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Joseph Gutierrez Represented By

Julie J Villalobos

Trustee(s):

Judge Mark Houle, Presiding Courtroom 301 Calendar

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301

11:00 AM

6:21-13659 Tina M Fugitt and Robert J Fugitt

Chapter 13

#12.00 Confirmation of Chapter 13 Plan

EH__

Docket 0

*** VACATED *** REASON: CASE DISMISSED 8/17/21

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Tina M Fugitt Represented By

Stephen R Wade

Joint Debtor(s):

Robert J Fugitt Represented By

Stephen R Wade

Trustee(s):

Judge Mark Houle, Presiding Courtroom 301 Calendar

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Hearing Room

301

<u>11:01 AM</u>

6:17-19027 Jaime Villalobos and Jennifer Villalobos

Chapter 13

#13.00 CONT. Trustee's Motion to Dismiss Case

From: 8/19/21

EH__

Docket 140

*** VACATED *** REASON: WITHDRAWAL OF MOTION FILED

8/26/21

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Jaime Villalobos Represented By

Rabin J Pournazarian

Joint Debtor(s):

Jennifer Villalobos Represented By

Rabin J Pournazarian

Trustee(s):

Judge Mark Houle, Presiding Courtroom 301 Calendar

Thursday, September 2, 2021

Hearing Room

301

<u>11:01 AM</u>

6:17-20652 Marian Amelia Pagano

Chapter 13

#14.00 Trustee's Motion to Dismiss Case

EΗ

Docket 82

*** VACATED *** REASON: CASE DISMISSED 8/9/21

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Marian Amelia Pagano Represented By

Frank J Alvarado

Trustee(s):

Judge Mark Houle, Presiding Courtroom 301 Calendar

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Hearing Room

301

<u>11:01 AM</u>

6:18-12099 James David Wilson, IV and Kerri Ann Wilson

Chapter 13

#15.00 Trustee's Motion to Dismiss Case

EH__

(Tele. appr. Joey De Leon, rep. Chapter 13 Trustee)

[Tele. appr. Donna Travis, rep. Debtor]

Docket 71

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

James David Wilson IV Represented By

Dana Travis

Joint Debtor(s):

Kerri Ann Wilson Represented By

Dana Travis

Trustee(s):

Judge Mark Houle, Presiding Courtroom 301 Calendar

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Hearing Room

301

<u>11:01 AM</u>

6:18-14603 Gabriel Agustin Blanco and Jeneke Nicole Blanco

Chapter 13

#16.00 Trustee's Motion to Dismiss Case

EH__

Docket 94

*** VACATED *** REASON: WITHDRAWAL OF MOTION FILED

8/23/21

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Gabriel Agustin Blanco Represented By

Norma Duenas

Joint Debtor(s):

Jeneke Nicole Blanco Represented By

Norma Duenas

Trustee(s):

Judge Mark Houle, Presiding Courtroom 301 Calendar

Thursday, September 2, 2021

Hearing Room

301

11:01 AM

6:18-14798 Valerie A. Marrs

Chapter 13

#17.00 Trustee's Motion to Dismiss Case (Tax Returns/Refunds)

EH__

(Tele. appr. Joey De Leon, rep. Chapter 13 Trustee)

Docket 33

*** VACATED *** REASON: WITHDRAWAL OF MOTION FILED 8/23/21

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Valerie A. Marrs Represented By

Patricia M Ashcraft - SUSPENDED BK -

Joselina L Medrano

Movant(s):

Rod Danielson (TR) Pro Se

Trustee(s):

Judge Mark Houle, Presiding Courtroom 301 Calendar

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Hearing Room

301

<u>11:01 AM</u>

6:18-18415 Donna Denise Upton

Chapter 13

#18.00 CONT. Trustee's Motion to Dismiss Case (Tax Returns/Refunds)

From: 8/9/21

EH ____

Docket 119

*** VACATED *** REASON: WITHDRAWAL OF MOTION FILED 8/23/21

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Donna Denise Upton Represented By

Seema N Sood

Trustee(s):

Judge Mark Houle, Presiding Courtroom 301 Calendar

Thursday, September 2, 2021

Hearing Room

301

<u>11:01 AM</u>

6:19-10484 Xavier C. Luna

Chapter 13

#19.00 CONT. Trustee's Motion to Dismiss Case

From: 8/19/21

EH__

(Tele. appr. Joey De Leon, rep. Chapter 13 Trustee)

Docket 117

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Xavier C. Luna Represented By

Christopher J Langley

Michael Smith

Trustee(s):

Judge Mark Houle, Presiding Courtroom 301 Calendar

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<u>11:01 AM</u>

6:19-12676 Anthony P Mendoza and Lena E Mendoza

Chapter 13

#20.00 CONT. Trustee's Motion to Dismiss Case

From: 8/19/21

EH ___

(Tele. appr. Joey De Leon, rep. Chapter 13 Trustee)

[Tele. appr. Paul Lee, rep. Debtors]

Docket 95

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Anthony P Mendoza Represented By

Paul Y Lee

Joint Debtor(s):

Lena E Mendoza Represented By

Paul Y Lee

Trustee(s):

Judge Mark Houle, Presiding Courtroom 301 Calendar

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<u>11:01 AM</u>

6:19-17080 Cesar Orozco

Chapter 13

301

#21.00 Trustee's Motion to Dismiss Case

EΗ

(Tele. appr. Joey De Leon, rep. Chapter 13 Trustee)

Docket 96

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Cesar Orozco Represented By

Paul Y Lee

Trustee(s):

Judge Mark Houle, Presiding Courtroom 301 Calendar

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301

<u>11:01 AM</u>

6:19-19251 Adam Brian Britt and Kenya Lashawn Britt

Chapter 13

#22.00 CONT. Trustee's Motion to Dismiss Case (Tax Returns/Refunds)

From: 8/9/21

EH

Docket 54

*** VACATED *** REASON: WITHDRAWAL OF MOTION FILED

8/23/21

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Adam Brian Britt Represented By

Matthew D. Resnik

Joint Debtor(s):

Kenya Lashawn Britt Represented By

Matthew D. Resnik

Trustee(s):

Judge Mark Houle, Presiding Courtroom 301 Calendar

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Hearing Room

301

<u>11:01 AM</u>

6:19-19399 Gerardo Calleros and Michelle J. Calleros

Chapter 13

#23.00 Trustee's Motion to Dismiss Case

EH__

(Tele. appr. Joey De Leon, rep. Chapter 13 Trustee)

[Tele. appr. Sundee Teeple, rep. Debtors]

Docket 49

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Gerardo Calleros Represented By

Sundee M Teeple

Joint Debtor(s):

Michelle J. Calleros Represented By

Sundee M Teeple

Trustee(s):

Judge Mark Houle, Presiding Courtroom 301 Calendar

Hearing Room

301

11:01 AM
6:19-19922 Angela Clarice Atou Chapter 13
#24.00 CONT. Trustee's Motion to Dismiss Case
From: 8/19/21
EH ___

(Tele. appr. Joey De Leon, rep. Chapter 13 Trustee)

[Tele. appr. Todd Turoci, rep. Debtor]

Docket 80

Tentative Ruling:

- NONE LISTED -

Thursday, September 2, 2021

Party Information

Debtor(s):

Angela Clarice Atou Represented By

Todd L Turoci

Trustee(s):

Judge Mark Houle, Presiding Courtroom 301 Calendar

Thursday, September 2, 2021

Hearing Room

301

<u>11:01 AM</u>

6:19-20126 Debra Suzanne Towne

Chapter 13

#25.00 Trustee's Motion to Dismiss Case

EH__

(Tele. appr. Joey De Leon, rep. Chapter 13 Trustee)

[Tele. appr. Paul Lee, rep. Debtor]

Docket 102

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Debra Suzanne Towne Represented By

Paul Y Lee

Trustee(s):

Judge Mark Houle, Presiding Courtroom 301 Calendar

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Hearing Room

301

<u>11:01 AM</u>

6:19-20882 Dennis Gene Rankin

Chapter 13

#26.00 CONT. Trustee's Motion to Dismiss Case (Tax Returns/Refunds)

From: 8/9/21

EH ____

Docket 75

*** VACATED *** REASON: WITHDRAWAL OF MOTION FILED

8/18/21

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Dennis Gene Rankin Represented By

Todd L Turoci

Trustee(s):

Judge Mark Houle, Presiding Courtroom 301 Calendar

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Hearing Room

301

<u>11:01 AM</u>

6:20-12148 Bernice H Antunez

Chapter 13

#27.00 CONT. Trustee's Motion to Dismiss Case

From: 8/19/21

EH ____

Docket 47

*** VACATED *** REASON: WITHDRAWAL OF MOTION FILED 8/23/21

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Bernice H Antunez Represented By

Daniel King

Trustee(s):

Judge Mark Houle, Presiding Courtroom 301 Calendar

Thursday, September 2, 2021

Hearing Room

301

<u>11:01 AM</u>

6:18-18478 Jose Granados and Norma Granados-Maycott

Chapter 13

#28.00 Trustee's Motion to Dismiss Case

EΗ

Docket 59

*** VACATED *** REASON: WITHDRAWAL OF MOTION FILED

8/30/21

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Jose Granados Represented By

Todd L Turoci

Joint Debtor(s):

Norma Granados-Maycott Represented By

Todd L Turoci

Trustee(s):

Judge Mark Houle, Presiding Courtroom 301 Calendar

Thursday, September 2, 2021

Hearing Room

301

<u>11:01 AM</u>

6:17-11010 Gary F Pico and Mercedes P. Pico

Chapter 13

#29.00 Trustee's Motion to Dismiss Case

EH__

Docket 73

*** VACATED *** REASON: WITHDRAWAL OF MOTION FILED

8/23/21

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Gary F Pico Represented By

Gregory Ashcraft

Joint Debtor(s):

Mercedes P. Pico Represented By

Gregory Ashcraft

Trustee(s):

Judge Mark Houle, Presiding Courtroom 301 Calendar

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Hearing Room

301

<u>11:01 AM</u>

6:20-12764 Paige Margaret Miller

Chapter 13

#30.00 Trustee's Motion to Dismiss Case

EH

(Tele. appr. Joey De Leon, rep. Chapter 13 Trustee)

[Tele. appr. William Howell, rep. Debtor]

Docket 24

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Paige Margaret Miller Represented By

William J Howell

Trustee(s):

Judge Mark Houle, Presiding Courtroom 301 Calendar

Thursday, September 2, 2021

Hearing Room

301

<u>11:01 AM</u>

6:19-19360 Troy D. Lee

Chapter 13

#31.00 Trustee's Motion to Dismiss Case

EH

Docket 54

*** VACATED *** REASON: WITHDRAWAL OF MOTION FILED

8/30/21

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Troy D. Lee Represented By

Gregory Ashcraft

Trustee(s):

Judge Mark Houle, Presiding Courtroom 301 Calendar

Thursday, September 2, 2021

Hearing Room

301

<u>11:01 AM</u>

6:20-16283 Reggina Louise Gaines

Chapter 13

#32.00 Trustee's Motion to Dismiss Case

EH__

(Tele. appr. Joey De Leon, rep. Chapter 13 Trustee)

[Tele. appr. Justin Harelik, rep. Debtor]

Docket 37

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Reggina Louise Gaines Represented By

D Justin Harelik

Trustee(s):

Judge Mark Houle, Presiding Courtroom 301 Calendar

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Hearing Room

301

<u>11:01 AM</u>

6:20-17201 Ertun Reshat and Hale Reshat

Chapter 13

#33.00 Trustee's Motion to Dismiss Case

EH

Docket 28

*** VACATED *** REASON: WITHDRAWAL OF MOTION FILED

8/30/21

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Ertun Reshat Represented By

April E Roberts

Joint Debtor(s):

Hale Reshat Represented By

April E Roberts

Trustee(s):

Judge Mark Houle, Presiding Courtroom 301 Calendar

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Hearing Room

301

<u>11:01 AM</u>

6:18-19183 Carmen Lynn Chilson

Chapter 13

#34.00 Trustee's Motion to Dismiss Case

EH__

(Tele. appr. Joey De Leon, rep. Chapter 13 Trustee)

[Tele. appr. Jennifer Tanios, rep. Debtor]

Docket 108

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Carmen Lynn Chilson Represented By

Steven A Alpert

Trustee(s):

Judge Mark Houle, Presiding Courtroom 301 Calendar

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Hearing Room

301

<u>11:01 AM</u>

6:18-17556 Daniel Javier Garcia

Chapter 13

#35.00 Trustee's Motion to Dismiss Case

EH__

(Tele. appr. Joey De Leon, rep. Chapter 13 Trustee)

[Tele. appr. Jennifer Tanios, rep. Debtor]

Docket 127

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Daniel Javier Garcia Represented By

Steven A Alpert

Trustee(s):

Judge Mark Houle, Presiding Courtroom 301 Calendar

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Hearing Room

301

<u>11:01 AM</u>

6:19-18697 Luci Denise. Green

Chapter 13

#36.00 Trustee's Motion to Dismiss Case

EH

Docket 56

*** VACATED *** REASON: WITHDRAWAL OF MOTION FILED

8/30/21

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Luci Denise. Green Represented By

Nicholas M Wajda

Trustee(s):

Judge Mark Houle, Presiding Courtroom 301 Calendar

Thursday, September 2, 2021

Hearing Room

301

<u>11:01 AM</u>

6:17-16114 Allan Omar Ramos

Chapter 13

#37.00 Trustee's Motion to Dismiss Case

EH__

(Tele. appr. Joey De Leon, rep. Chapter 13 Trustee)

[Tele. appr. Julie Villalobos, rep. Debtor]

Docket 81

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Allan Omar Ramos Represented By

Julie J Villalobos

Trustee(s):

Judge Mark Houle, Presiding Courtroom 301 Calendar

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Hearing Room

301

<u>11:01 AM</u>

6:19-14725 Glenda Laurene Long

Chapter 13

#38.00 Trustee's Motion to Dismiss Case

EH__

(Tele. appr. Joey De Leon, rep. Chapter 13 Trustee)

[Tele. appr. Joanne Andrew, specially appearing for Debtor]

Docket 47

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Glenda Laurene Long Represented By

Nicholas M Wajda

Trustee(s):

Judge Mark Houle, Presiding Courtroom 301 Calendar

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Hearing Room

301

<u>11:01 AM</u>

6:20-13401 Monica Aguirre

Chapter 13

#39.00 Trustee's Motion to Dismiss Case

EH

Docket 63

*** VACATED *** REASON: WITHDRAWAL OF MOTION FILED

8/30/21

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Monica Aguirre Represented By

Halli B Heston

Trustee(s):